

DEC 07 2004

**POSZ & BETHARDS, PLC**

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SPECIALIZING IN PATENTS, TRADEMARKS & COPYRIGHTS

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**FACSIMILE TRANSMISSION**

**Date:** 12/7/2004

**Pages:** 1 of 6

**To:**

**From:** David Posz  
Posz & Bethards, PLC

**Company:** USPTO Office of Petitions \*  
Mail Stop Petition

**Fax No.:** 703-872-9306

**Subject:** Petition to Revive Under 37 CFR 1.137(b)  
for U.S. Patent Application Serial No. 10/667,404

**Comments:**

Sirs,

Enclosed please find the attached petition and issue fee payment letters.

Respectfully submitted,



David G. Posz  
Reg. No. 37,701

**\*\*\*\*Notice\*\*\*\***

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PTO/SB/64 (05-03)  
 Approved for use 04/30/2003. OMB 0531-0031  
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## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

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December 7, 2004

Date

Telephone  
Number: (703) 707-9110

Signature

David G. Pozz, Esq. (Reg. No. 37.701)  
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Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Issue Fee Transmittal Letter.  
Executed Form PTOL-85B

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9308.

December 7, 2004

Date

Signature

David G. Pozz, Esq. (Reg. No. 37.701)  
Typed or printed name of person signing certificate

(Page 2 of 2)